

1951



Subject:—

File No. Forest II/51 (M)

Legal Deptt.

B BRANCH

Notifications under the
Indian Forest Act 1927.

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File No. Forest II/51 (M)

Gen. 194 e.

792-B

It has been advised in the Additional Secy's Legal Department, opinion No. 2838, dated the 1st March 1950 that when a notice is served upon an owner the draft of a notification (regulating or prohibiting certain matters in the forests concerned) which is proposed to be issued finally, should be sent to the owner concerned, so as to enable him to know exactly what things are regulated or prohibited in his forest, and to enable him to put forward objections in regard to the same. It is presumed that the draft of such notification must have been sent along with the notice to the owners concerned.

2. It may, however, be pointed out that the particulars may vary from owner to owner and the matters specified in the final notification in respect of one owner would not apply to another owner in toto. Each such notification has to specify having ~~regarding~~ regard to the facts of each case, the nature of act that will be regulated or prohibited. In the circumstances stated, no model form of a final notification will be of any help to the officer concerned.

3. If however, the form of notice referred to in rule 2 of the Rules published under G.O., P. No. 53-485/J, dated the 19th September 1950 is amended in the manner shown in the linked file, there will be no difficulty in future in deciding in what form a final notification should issue. After having heard objections from the owner of the forest concerned, the individual final notification should be issued in the form sent herewith marked 'A' making therein such modifications as are found necessary in the light of objections raised by the owner and considered satisfactory by Government.

Remembrancer of Legal Affairs.
U.R. to A. & P.D. No. 19687, dated the 7th Dec.,
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